

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
FILED

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

MAR 14 2023

NATHAN OCHSNER
CLERK OF COURT

In re:

JODY SEAN MCINTYRE

Debtor in Possession

§
§
§
§
§

Chapter 11

Case No. 23-10006

**DEBTOR IN POSSESSION'S UNOPPOSED MOTION TO ASSUME AN UNEXPIRED
LEASE OR EXECUTORY CONTRACT**

This motion seeks an order that may adversely affect you. If you oppose the motion, you should immediately contact the moving party to resolve the dispute. If you and the moving party cannot agree, you must file a response and send a copy to the moving party. You must file and serve your response within 21 days of the date this was served on you. Your response must state why the motion should not be granted. If you do not file a timely response, the relief may be granted without further notice to you. If you oppose the motion and have not reached an agreement, you must attend the hearing. Unless the parties agree otherwise, the court may consider evidence at the hearing and may decide the motion at the hearing. Represented parties should act through their attorney.

Jody Sean McIntyre ("Debtor in Possession") hereby files this **DEBTOR IN POSSESSION'S UNOPPOSED MOTION TO ASSUME AN UNEXPIRED LEASE OR EXECUTORY CONTRACT**.

COMES NOW the Debtor in Possession, *pro se*, and moves the Court for its order authorizing Debtor to assume the Executory Contract held by Savvy Lands, LLC ("Creditor"), 2450 Louisiana St., Suite 400 #921, Houston, TX 77006, and in support thereof, Debtor in Possession states as follows:

FACTS

1. This case was commenced by the filing on January 13th, 2023 of a voluntary petition for relief under chapter 11 of title 11 of the United States Code.

2. Pursuant to 11 U.S.C. section 365, Debtor in Possession asks the Court to approve the assumption of the following Executory Contract:

Executory Contract concerning the Debtor in Possession's designated homestead property located at 2200 East Spanish Sky Road, Alpine, TX 77006 also known as BLK 216, SEC 9, TR: 4844/BREWSTER, commenced on January 02, 2019 and ending January 15, 2026.

3. The property is the Debtor in Possession's current designated homestead.

4. The assumption of the Executory Contract is in the best interest of the Debtor in Possession and the Debtor in Possession's Estate.

5. A copy of the Executory Contract is available upon request.

6. All payments, pre-petition and post-petition concerning this Executory Contract are current.

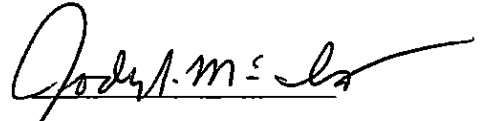
7. Future payments will be included in the Debtor in Possession's proposed Chapter 11 plan.

8. Debtor in Possession has conferenced with Creditor concerning this assumption and Creditor has agreed to the assumption.

REQUESTED RELIEF

WHEREFORE, Debtor in Possession prays for an order from the Court authorizing and approving the assumption of the Executory Contract held by Savvy Lands, LLC. as being in the best interest of the Debtor in Possession and the Debtor in Possession's Estate.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jody S. McIntyre", with a long horizontal flourish extending to the right.

Jody Sean McIntyre

Pro Se

1005 Ebony Lane

Laguna Vista, TX 78578

(956)264-5688

mcjody05@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that on March 14, 2023, a copy of the foregoing document, DEBTOR IN POSSESSION'S UNOPPOSED MOTION TO ASSUME AN UNEXPIRED LEASE OR EXECUTORY CONTRACT, has been sent to all parties via U.S. Mail and/or electronic mail, as required.

/s/ Jody Sean McIntyre
Jody Sean McIntyre